

★ DEC 28 2016 ★

BROOKLYN OFFICE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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KRISTIN AUDREY,

Plaintiff,

**MEMORANDUM DECISION AND
ORDER**

- against -

06-cv-05612 (AMD)(SMG)

CAREER INSTITUTE OF HEALTH AND
TECHNOLOGY and DR. KLEBER MOLINA,

Defendants.

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ANN DONNELLY, District Judge.

The plaintiff brought this action against defendants Career Institute of Health and Technology and Dr. Kleber Molina on October 17, 2006, alleging gender discrimination, retaliation, and intentional infliction of emotional distress under federal and New York state and city laws. In a Report and Recommendation issued on December 6, 2016, Magistrate Judge Steven M. Gold recommended that the plaintiff's complaint be dismissed for failure to prosecute. No party has objected to Judge Gold's Report and Recommendation within the time prescribed by 28 U.S.C. §636(b)(1).

In reviewing an R&R, a district court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). Where, as here, no party has objected to the magistrate judge's recommendation, "a district court need only satisfy itself that there is no clear error on the face of the record." *Urena v. New York*,

160 F.Supp.2d 606, 609-10 (S.D.N.Y. 2001) (quoting *Nelson v. Smith*, 618 F.Supp. 1186, 1189 (S.D.N.Y. 1985)).

This Court has reviewed Judge Gold's thorough and well-reasoned opinion, and finds no error. Accordingly, it is hereby ORDERED that pursuant to Federal Rule of Civil Procedure 41(b), the plaintiff's case is dismissed for failure to prosecute. The Clerk of the Court is respectfully directed to close this case.

SO ORDERED.

s/Ann M. Donnelly
Ann M. Donnelly
United States District Judge



Dated: Brooklyn, New York
December 28, 2016